

REMARKS

Claims 1 and 2 have been amended to place the claims in better condition for examination. New claims 4-44 have been added to cover additional subject matter to which applicant is entitled for this important invention. Entry of the amendments is respectfully requested prior to the first Office Action on this application.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

Respectfully submitted,

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By



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) An encapsulated optoelectronic device whose surface is coated with a phase matching layer [material] comprised of a dielectric constant similar to the encapsulant, the thickness of the phase matching layer [material] designed to make the optoelectronic properties of the optoelectronic device the same both pre and post encapsulation.

2. (Amended) A method of fabricating an encapsulated [VCSEL] optoelectronic device having controlled characteristics, the method comprising the steps of:

- fabricating the initial optoelectronic device;
- measuring a characteristic of the device;
- determining the thickness of a phase matching layer needed to maintain the characteristic substantially the same after encapsulation;
- depositing the phase matching layer with the desired thickness; and
- completing the processing, packaging and encapsulation of the device.